

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:05cv78**

<b>JEAN H. BRANDLE,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>Vs.</b>	)	<b>JUDGMENT</b>
	)	
<b>JO ANNE B. BARNHART,</b>	)	
<b>Commissioner of Social Security,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

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**THIS MATTER** having come before the court pursuant to 28, United States Code, Section 636(c) and upon plaintiff's Motion for Summary Judgment and the Commissioner's Motion for Summary Judgment, and having considered the arguments presented and considered the final decision of the Commissioner and determined that it is supported by substantial evidence, as shown in the Memorandum of Decision filed simultaneously herewith,

**IT IS, THEREFORE, ORDERED, ADJUDGE, AND DECREED** that plaintiff's Motion for Summary Judgment is **DENIED**, the Commissioner's Motion for Summary Judgment is **GRANTED**, and the final decision of the Commissioner is **AFFIRMED**, and this action is **DISMISSED**.

**Signed: November 24, 2005**

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

